

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

George D. McCarley  
Plaintiff

v.

Household Finance Corporation III  
Defendant

Civil Action No. 3:06-CV-0091-MEF  
Lead Case<sup>1 2 3</sup>

APPENDIX OF CASES AND AUTHORITIES  
REBUTTAL OF DEFENSE SUMMARY JUDGMENT MOTION

|  |            |
|--|------------|
| <u>Bailey v. Glover</u> , 88 U.S. (21 Wall.) 342, 349 (1874)   | 11         |
| <u>Bank of New York v. Heath</u> , 2001 WL 1771825, at *1 (Ill Cir. Oct 26 2001)                         | 18         |
| Bankruptcy Act of 1874   | 12         |
| <u>Connecticut v. Doeher</u> (90-143)501 U.S. 1 (1991)   | 17         |
| <u>Egert v. FT Mort. Cos.</u> , No. 99 C 313, 1999 WL 528517 at *1 n. 2(N.D.Ill, July 19, 1999)          | 13         |
| <u>Houghton v. Insurance Crime Prevention Institute</u> , 795 F.2d 322 (3 <sup>rd</sup> Cir. 1986)       | 12         |
| <u>Jean Johnstone v. Bank of America</u> , No. 01 C 292 (Nov. 15, 2001)                                  | 12         |
| <u>Johnson v. McCrackin-Sturman Ford, Inc.</u> , 527 F.2d 257, 262 (3 <sup>rd</sup> Cir, 1975)           | 11         |
| <u>John Stark v. Thomas Parker</u> , 19 Mass. (2 Pickering) 267 (1824)                                   | 17         |
| <u>Midwest Grinding Co v. Spitz</u> , 976 F.2d 1016, 1019 (7 <sup>th</sup> Cir. 1992                     | 12         |
| <u>N.Ind. Gun &amp;Outdoor Shows v. city of South Bend</u> , 163 F.3d 449,453 (7 <sup>th</sup> Cir 1998) | 13         |
| <u>Ramadan v. Chase Manhattan</u> Sept 22, 1998 US Court of Appeals for the Third Circuit No. 97-5282    | 11, 15, 17 |

<sup>1</sup> 3:06 cv 00091 (lead case) includes Household Finance Corporation, III (00093), HSBC-Gr. Corp. (00102), HSBC Mortgage Services, Inc. (00104), HSBC Finance Corporation (00101), and, Household International, Inc. (00103).

<sup>2</sup> Plaintiff reminds this court he is a non-attorney, Pro Se IFP Litigant

<sup>3</sup> Defendant posted \$12 billion profits, has huge internal litigation dept, and is represented by South's largest Law Firm

|                                 |                |                         |
|---------------------------------|----------------|-------------------------|
| 12 USC 2601                     | 13             |                         |
| 12 USC §2605                    | 9, 14, 16      | and, Appendix pages 1-7 |
| 12 USC §2605 (e)                | 10, 13, 14, 19 |                         |
| 12 U.S.C. §2605(e)(1)           | 19             |                         |
| 12 USC §2605 (e) (2)            | 14 19          |                         |
| §2605 (e)(2)(A)                 | 16 19          |                         |
| 12 USC §2605 (e) (3)            | 14 16          |                         |
| §2605 (a)(b)(c)                 | 13             |                         |
| §2605(e)(B)                     | 19             |                         |
| 12 USC §2605(f)(4) Nonliability | 18             |                         |
| 12 U.S.C. §2614                 | 16 17 18       | and, Appendix page 1    |

|                                       |    |
|---------------------------------------|----|
| Rule 12(b)(6)                         | 12 |
| Federal Rule of civil Procedure 10(c) | 12 |

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|------------------------|--------|
| Statute of Limitations | 15, 18 |
|------------------------|--------|

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|-----------------------------------|-------------------------------------|
| CFR (Code of Federal Regulations) | 14, (See Briefs in Support Sept 28) |
|-----------------------------------|-------------------------------------|

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|-----------------------------|-------------|
| TILA (Truth in Lending Act) | 11,12,15,17 |
|-----------------------------|-------------|

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|---|------------------------------|
| RESPA (Real Estate Settlement Procedures Act) | 2,11,12,13,14,15,16,17,18,19 |
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| “Brief in Support” (See September 28 Plaintiff Motion for following)                    |  |
| • Disclosure Defined”   |  |
| • “Disclosure Fraud at Inception of Mortgage, Fraud in Legal Paper Throughout Mortgage” |  |

*Ramadan* case summary at Appendix pages 1 through 7.

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| Contested Points objection | Plaintiff Exhibit 23 |
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| Letter from Alabama Attorney General to McCarley | Plaintiff Exhibit 24 |
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|---|----------------------|
| Illinois Secretary of State Corporate Registration(s) | Plaintiff Exhibit 28 |
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APPENDIX OF PLAINTIFF EXHIBITS numbered 1 – 27 in text table page 3,4.